

In re Application of: Gerald BATIST, et al
Filed: December 18, 2000
Serial No.: 09/779,223
Title: HEX II TUMOR-SPECIFIC PROMOTER AND USE THEREOF
Examiner: Shin Lin CHEN
Group Art Unit: 3120

A1
4. (Amended) A vector for providing selective gene expression in a tumor cell, said vector comprising a rat Hex II promoter that is selectively activated in tumor cells as compared with normal cells.

A2
13. (Amended) The gene construct of claim 1, wherein said construct is pHexII4557-CAT.

A3
15. (Amended) A tumor-specific Hex II gene construct comprising a rat Hex II promoter operatively linked to a gene and a vector selected from one of a expression vector, a shuttle plasmid, an adenovirus type 5 recombinant vector or a lipid-based delivery system wherein the promoter is selectively activated in tumor cells as compared with normal cells.

A4
17. (Amended) The tumor-specific Hex II gene construct of claim 3, wherein the tumor cell is a human tumor cell.

18. (Amended) The tumor-specific Hex II gene construct of claim 15, wherein the tumor cell is a non-human tumor cell.

19. (Amended) The gene construct of claim 15, wherein said vector is pΔE1sp1B and said construct is pΔE1sp1BHex-LacZ.

20. (Amended) The gene construct of claim 15, wherein said vector is pΔE1sp1B and said construct is pΔE1sp1BHex-TK.

21. [Withdrawn from consideration]

22. [Withdrawn from consideration]